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**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS
OFFICE OF THE REGISTRAR GENERAL, INDIA**

No.9/69/2019-CD(CEN)

Dated, 24 / 02 / 2020.

CENSUS OF INDIA 2011 - CIRCULAR No. 13

Subject: **Responsibilities and duties of the public under the Census Act, 1948 and Issue of Notification by the State Government/UT Administrations directing the public to cooperate in smooth conduct of Census of India 2021.**

The Census of India is undertaken under the aegis of the Census Act, 1948 (37 of 1948) and Census Rules, 1990 once in every ten years. The 1st phase of the ensuing Census 2021, i.e. Houselisting & Housing Census is scheduled to be conducted during April-September, 2020 in all States/UTs depending upon their local conditions. During this phase, data on housing conditions, household amenities and assets possessed by the households would be collected. The Census questions for the Houselisting & Housing Census have already been notified in the Gazette of India. The 2nd phase of the Census 2021 would be conducted from 9th to 28th February, 2021 followed by a Revision round from 1st to 5th March, 2021 wherein individual level information on various demographic, socio-cultural, economic, migration & fertility parameters would be collected.

2. The decennial Population Census being a gigantic task of National importance, its success would largely depend upon the cooperation from various quarters including the public. It is imperative to bring to the notice of the public regarding the utility of Census data and the confidentiality of the individual level information as per Section 15 of the Census Act, 1948. At the same time, as per the Rule 8 (ii) of the Census Rules, 1990, the State Governments and the Union Territory Administrations are required to publish a notification directing the public to cooperate in furnishing accurate and unambiguous information in respect of the questions that

may be put to them through census alongwith an extract of penalties prescribed under section 11 of the Act. The contents, covering utility of Census data and relevant extracts of the Census Act, 1948, for the said notification to be published by the respective State/UT Governments are detailed below:

- (i) The Census is the only source of providing the basic benchmark data on housing condition, facilities available to the households and the state of human resources at various administrative levels up to the villages in rural areas and towns/wards in urban areas. It is widely used for planning and formulation of policies and effective Public Administration by the Central/State/UT Governments. Apart from this, Census data are used for delimitation and reservation of Constituencies for Parliamentary, Assembly, Panchayats and other Local Bodies. Thus, the public are to cooperate in census taking and provide the correct information. Some of the important provisions in the Census Act, 1948 are reproduced below for information of the public.
- (ii) **Section 8:** (1) A census-officer may ask all such questions of all persons within the limits of the local area for which he is appointed as, by instructions issued in this behalf by the Central Government and published in the Official Gazette, he may be directed to ask.
(2) Every person of whom any question is asked under sub-section (1) shall be legally bound to answer such question to the best of his knowledge or belief:
Provided that no person shall be bound to state the name of any female member of his household and no woman shall be bound to state the name of her husband or deceased husband or of any other person whose name she is forbidden by custom to mention.
- (iii) **Section 9:** Every person occupying any house, enclosure, vessel or other place shall allow census-officer such access thereto as they may require for the purposes of the census and as, having regard to the customs of the country, may be reasonable, and shall allow them to paint on, or affix to, the place such letters, marks or numbers as may be necessary for the purposes of the census.
- (iv) **Section 10:** (1) Subject to such orders as the Census Commissioner may issue in this behalf, a census-officer may, within the local area for which he is appointed, leave or cause to be left a schedule at any dwelling-house or with the manager or any officer of any commercial or industrial establishment, for the purpose of its being filled up by the

occupier of such house or of any specified part thereof or by such manager or officer with such particulars as the Census Commissioner may direct regarding the inmates of such house or part thereof, or the persons employed under such manager or officer, as the case may be, at the time of the taking of the census.

(2) When such schedule has been so left, the said occupier, manager or officer, as the case may be, shall fill it up or cause it to be filled up to the best of his knowledge or belief so far as regards the inmates of such house or part thereof or the persons employed under him, as the case may be, at the time aforesaid, and shall sign his name thereto and, when so required, shall deliver the schedule so filled up and signed to the census-officer or to such person as the census-officer may direct.

(v) **Section 11: (1)** – (a) Any census-officer or any person lawfully required to give assistance towards the taking of census who refuses to perform any duty imposed upon him by this Act or any rule made thereunder, or any person who hinders or obstructs another person in performing any such duty, or

(aa) any census-officer or any person lawfully required to give assistance towards the taking of a census who neglects to use reasonable diligence in performing any duty imposed upon him or in obeying any order issued to him in accordance with this Act or any rule made thereunder, or any person who hinders or obstructs another person in performing any such duty or obeying any such order, or;

(d) any person who intentionally gives a false answer to, or refuses to answer to the best of his knowledge or belief, any question asked of him by a census-officer which he is legally bound by section 8 to answer, or

(e) any person occupying any house, enclosure, vessel or other place who refuses to allow a census-officer such reasonable access thereto as he is required by section 9 to allow, or

(f) any person who removes, obliterates, alters, or damages any letters, marks or numbers which have been painted or affixed for the purposes of the census, or

(g) any person who, having been required under section 10 to fill up a schedule, knowingly and without sufficient cause fails to comply with the provisions of that section, or makes any false return there under, or

(h) any person who trespasses into a census office,

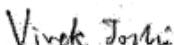
shall be punishable with fine which may extend to one thousand rupees and in case of a conviction under part (a) shall also be punishable with imprisonment which may extend to three years.

(2) Whoever abets any offence under sub-section (1) shall be punishable with fine which may extend to one thousand rupees.

(vi) **Section 15:** No person shall have a right to inspect any book, register or record made by a census-officer in the discharge of his duty as such, or any schedule delivered under section 10, and notwithstanding anything to the contrary in the Indian Evidence Act, 1872 (1 of 1872), no entry in any such book, register, record or schedule shall be admissible as evidence in any civil proceeding whatsoever or in any criminal proceeding other than a prosecution under this Act or any other law for any act or omission which constitutes an offence under this Act.

3. The Directorates of Census Operations are to approach the respective State Government/UT Administration to get the notification published in this regard so that the above provisions of the Act are made public well before the Houselisting & Housing Census in your State/UT.

4. A copy of the notification may also be sent to this office for information.


(Vivek Joshi)
Registrar General &
Census Commissioner, India

To

All the Directorates of Census Operations

Copy for necessary action to:

1. The Chief Secretaries/Administrators
2. State Coordinators
3. All heads of Divisions of ORGI
4. AD(OL) for translation into Hindi
5. Census Division, ORGI
6. PPS to RG&CC I
7. PPS to Addl. Registrar General(J)/ Addl. Registrar General(S)/DDG, ORGI
8. DP Division for uploading on Census website
9. Guard File